

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-11 are pending. Claims 1, 9, 10 and 11 are independent and are hereby amended. No new matter has been introduced.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 9 and 10 were rejected under 35 U.S.C. 112, first paragraph. Applicants have amended claims 9 and 10 to obviate the rejection.

Applicants respectfully request withdrawal of the §112 rejection of claims 9 and 10.

III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-11 were rejected under 35 U.S.C. §102(b) as allegedly unpatentable over WO 97/10673 issued to Fukai, et al. (hereinafter, merely "Fukai") in view of U.S. Patent No. 7,110,025 to Loui et al. (hereinafter, merely "Loui").

Applicants respectfully traverse this rejection.

Claim 1 is representative and recites, *inter alia*:

“wherein the electronic mark text data describes a feature of the video content data, and

...

wherein the electronic mark data includes attribute mark data and the electronic mark text data linked to each other.”

As understood by the Applicants, Loui describes a method for simultaneously recording motion and still images. In relevant part, the Office Action points to Loui col. 3, line 67 to col. 4, line 3 for the above recited features of claim 1. At the cited location, Loui states only that the electronic mark text data describes stored data that may include metadata such as user-input text information and camera generated information such as date and time. However, Loui does not disclose attribute mark data (as defined in the present application) linked to the electronic mark text data as part of the electronic mark data.

In contrast, claim 1 recites, “the electronic mark data includes attribute mark data and the electronic mark text data linked to each other.” That is, the electronic mark data is constructed to include attribute mark data being attribute information on capturing at least video content data, and electronic mark text data in which a feature of the video content data is described. With this data structure, electronic mark data includes attribute mark data and electronic mark text data linked to each other, and because the attribute mark data is described in the video content data, information in the electronic mark data can be distributed by storing the electronic mark text data in the electronic mark data into another recording medium.

The attribute mark data may be constructed to include scene identifiers for identification of video scenes in at least video content data. With this data structure, the attribute mark data linked to the electronic mark data permits identification of multiple video scenes included in the video content data and thus the electronic mark text data linked to the electronic mark data

related with each video scene can be distributed to another recording medium. See Publ. App. par. [0020] and [0021].

Fukai does not add the feature missing from Loui.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 9, 10 and 11 are also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.


In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our
Deposit Account No. 50-0320.

Respectfully submitted,

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